

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Yonis Abdi,

Case No. 23-CV-2924 (JRT/ECW)

Plaintiff,

v.

**REPORT AND RECOMMENDATION**

Heather Jassen,

Defendant.

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On September 21, 2023, the Clerk of this Court sent Plaintiff Yonis Abdi a letter (1) stating that the Court had not received from Abdi either this action’s filing fee or an application to proceed *in forma pauperis* (“IFP”); (2) enclosing a copy of this District’s template IFP application; and (3) warning Abdi that if the Court did “not receive [his] filing fee or [IFP application]” within 15 days—that is, by October 6, 2023—“[his] case could be summarily dismissed without prejudice.” (Dkt. 2 at 1.) That deadline has now passed, and Abdi has not submitted a filing fee or IFP application. Accordingly, this Court now recommends dismissing this action without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute. *See, e.g., Henderson v. Renaissance Grand Hotel*, 267 F. App’x 496, 497 (8th Cir. 2008) (per curiam) (“A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff’s failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.”).

### RECOMMENDATION

Based upon the foregoing, and on all of the files, records, and proceedings herein,  
**IT IS RECOMMENDED** that this action be **DISMISSED WITHOUT PREJUDICE**  
under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

Dated: October 17, 2023

s/Elizabeth Cowan Wright  
ELIZABETH COWAN WRIGHT  
United States Magistrate Judge

### NOTICE

**Filing Objections:** This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. *See* Local Rule 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in Local Rule 72.2(c).